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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/589,356	06/08/2000	Nobuhisa Yoda	016907/1095	9979

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EXAMINER

NGUYEN, LE V

ART UNIT

PAPER NUMBER

2174

DATE MAILED: 11/07/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/589,356

Applicant(s)

YODA ET AL.

Examiner

Le Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_ 6) ☐ Other: \_\_\_\_

## **DETAILED ACTION**

### ***Specification***

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The claims are generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors such as “operation hierarchy of an operation screen” in claims 1, 3 and 5, and “, a password number is set on the operation screen of the preset operation hierarchy of said image reading device or a button displayed on the operation screen and a secret directory” in claim 5 as well as the phrase “...are commonly allotted” in claim 6. Therefore, the examiner will make a conscientious effort in interpreting the claims in light of the specification context.

*Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. Claims 1-3 and 6 are rejected under 35 U.S.C. 102(e) as being anticipated by applicant's admitted prior art (specification, pages 2-3).

As per claim 1, applicant's admitted prior art teaches an image processing system comprising:

an image reading device for reading an image (page 1, line 12);

a file server for recording the image from said image reading device (page 1, line 15);

and

a plurality of client terminals connected to said file server via a communication line, for commonly using said image reading device (page 2, lines 6-12);

wherein the operation hierarchy of an operation screen of said image reading device is set to have a correspondence relation with respect to the directory hierarchy for recording the image

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of said file server and changing point of the respective hierarchies reflect on the opposite hierarchies (page 2, lines 10-22).

As per claim 2, applicant's admitted prior art teaches an image processing system wherein the operation hierarchy of the operation screen of said image reading device is an operation screen of each hierarchy of said image reading device when a image is recorded on said file server (page 2, line 17 through page 3, line 2).

As per claim 3, applicant's admitted prior art teaches an image processing system comprising:

an image reading device for reading an image (page 1, line 12);

a file server for recording the image from said image reading device (page 1, line 15);

and

a plurality of client terminals connected to said file server via a communication line, for commonly using said image reading device (page 2, lines 6-12);

wherein the operation hierarchy of an operation screen of said image reading device is set to have a correspondence relation with respect to the directory hierarchy for recording the image of said file server and changing point of the respective hierarchies reflect on the opposite hierarchies (page 2, lines 16-22), an access limit of each user is previously allotted to the operation screen of a preset operation hierarchy of said image reading device or a button display on the operation screen and the access limit is commonly allotted to the directory hierarchy of the file server for recording the image which corresponds to the preset operation hierarchy of said image reading device (page 2, lines 10-13).

As per claim 6, applicant's admitted prior art teaches an image processing system comprising:

an image reading device for reading an image (page 1, line 12);

a file server for recording the image from said image reading device (page 1, line 15);

and

a plurality of client terminals connected to said file server via a communication line, for commonly using said image reading device (page 2, lines 6-12);

wherein said image reading device includes reading means for reading an image (page 1, line 12), and a control panel for displaying a screen on which a button for instructing the reading operation effected by said reading means is displayed and setting the reading operation, said file server includes recording means for recording an image read by the reading means of said image reading device in a directory of the hierarchical structure, and the hierarchical structure of the screen displayed on the control panel of said image reading device and the hierarchical structure of the directory of said recording means of said file server are commonly allotted (page 2, lines 10-22).

### *Claim Rejections - 35 USC § 103*

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 4-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over applicant's admitted prior art in view of Bladow et al. ("Bladow", US 6,115,040).

As per claim 4, applicant's admitted prior art teaches the image processing system wherein an image-processing device function is accessible to a particular user (page 3, lines 1-2). Applicant's admitted prior art does not explicitly disclose that access limit is made according to whether authorization is made by a log-in process using a user name and password. Bladow teaches a system providing a user interface for communicating with remote services, wherein access limit to the system is made according to whether authorization is made by a log-in process using a user name and password (col. 3, lines 30-36). It would have been obvious to an artisan at the time of the invention to combine Bladow's system of utilizing user name and password to limit user's accessibility to the system and applicant's admitted prior art's system of limiting user's accessibility to the system to a particular user in order to insure that the user has valid access to the system.

As per claim 5, the method of applicant's admitted prior art and Bladow teaches an image reading device for reading an image (applicant's admitted prior art; page 1, line 12);

a file server for recording the image from said image reading device (applicant's admitted prior art; page 1, line 15); and

a plurality of client terminals connected to said file server via a communication line, for commonly using said image reading device (applicant's admitted prior art; page 2, lines 6-12);

wherein the operation hierarchy of an operation screen of said image reading device is set to have a correspondence relation with respect to the directory hierarchy for recording the image of said file server and changing points of the respective hierarchies (applicant's admitted prior

art; page 2, lines 16-22), a password number is set on the operation screen of the preset operation hierarchy of said image reading device or a button displayed on the operation screen (Bladow; fig. 6) and a secret directory having a name based on the password number is automatically formed on the directory hierarchy of said file server corresponding to the preset operation hierarchy of said image reading device (Bladow; col. 12, lines 1-2; *an individual user account is typically associated with a profile that is stored in a directory containing all user information wherein after logging in, a user profile is pulled from a directory and applied to the application; it is noted that individual users have a storage area associated with user specific information as dictated in a user's profile*).

### *Conclusion*

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kajita et al. (US 6,069,706) teach an image reading device and image processing method utilizing the same.

Henderson, Jr. et al. (US 5,394,521) teach a user interface with multiple workspaces for sharing display system objects.

Brackett et al. (US 6,417,870 B1) teach a method and apparatus for simultaneous construction of multiple data objects for image transfer.

Volk et al. (US 5,673,401) teach systems and method for a customizable sprite-based graphical user interface.



*Inquires*

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lê Nguyen whose telephone number is (703) 305-7601. The examiner can normally be reached on Monday - Friday from 5:30 am to 2:00 pm (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid, can be reached on (703) 308-0640.

The fax numbers for the organization where this application or proceeding is assigned are as follows:

(703) 746-7238 [After Final Communication]

(703) 746-7239 [Official Communication]

(703) 746-7240 [For status inquiries, Draft Communication]

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Lê Nguyen  
Patent Examiner  
November 4, 2002

*Kristine Kincaid*  
**KRISTINE KINCAID**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2100**